

PTO/SB/97 (08-00)

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Application Number: 09/740,720

Filing Date: Dec 18, 2000


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1. Certificate of Transmission
2. Fee Transmittal
3. Response to Non-Final Office Action Dated 4/7/2004 (27 pages)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/740,720
Filing Date 12/18/2000
Confirmation No.....4181
Inventorship.....Darling et al.
Applicant..... Microsoft Corporation
Group Art Unit2126
Examiner Ho, The T
Attorney's Docket No. MS1-681US
Title: *Dynamic Monitor and Controller of Availability of a Load-Balancing Cluster*

**RESPONSE TO NON-FINAL OFFICE
ACTION DATED 4/07/2004**

To: Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

From: Kasey C. Christie (Tel. 509-324-9256; Fax 509-323-8979)
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ATTORNEYS AT LAW

Serial No.: 09/740,720
Atty Docket No.: MS1-681US
RESPONSE TO NON-FINAL OFFICE ACTION DATED
4/17/2004

1

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atty: Kasey C. Christie

PTO/SB/17 (10-03)

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 0.00**Complete if Known**

Application Number	09/740,720
Filing Date	Dec 18, 2000
First Named Inventor	Darling
Examiner Name	HO, THE T
Art Unit	2126
Attorney Docket No.	MS1-681US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
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☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims **57** - 20** = **0** X **0** = **0**

Independent Claims **6** - 3** = **0** X **0** = **0**

Multiple Dependent

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 0

**or number previously paid. If greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 85	1052 50	2052 25	Surcharge - late filing fee or oath	
1053 130	2053 130	1812 2,520	2520 2,520	Surcharge - late provisional filing fee or cover sheet	
1812 2,520	2520 2,520	1804 920*	2520 920*	Non-English specification	
1804 920*	2520 920*	1805 1,840*	2520 1,840*	For filing a request for ex parte reexamination	
1805 1,840*	2520 1,840*	1451 1,510	2520 1,510	Requesting publication of SIR prior to Examiner action	
1451 1,510	2520 1,510	1452 110	2520 110	Requesting publication of SIR after Examiner action	
1452 110	2520 110	1453 1,330	2520 1,330	Extension for reply within first month	
1453 1,330	2520 1,330	1501 1,330	2520 1,330	Extension for reply within second month	
1501 1,330	2520 1,330	1502 480	2520 480	Extension for reply within third month	
1502 480	2520 480	1503 640	2520 640	Extension for reply within fourth month	
1503 640	2520 640	1504 1,480	2520 1,480	Extension for reply within fifth month	
1504 1,480	2520 1,480	1505 2,010	2520 2,010	Notice of Appeal	
1505 2,010	2520 2,010	1506 180	2520 180	Filing a brief in support of an appeal	
1506 180	2520 180	1507 50	2520 50	Request for oral hearing	
1507 50	2520 50	1508 180	2520 180	Petition to institute a public use proceeding	
1508 180	2520 180	1509 770	2520 770	Petition to revive - unavoidable	
1509 770	2520 770	1510 770	2520 770	Petition to revive - unintentional	
1510 770	2520 770	1511 900	2520 900	Utility issue fee (or reissue)	
1511 900	2520 900	1512 900	2520 900	Design issue fee	
1512 900	2520 900	1513 900	2520 900	Plant issue fee	
1513 900	2520 900	1514 900	2520 900	Petitions to the Commissioner	
1514 900	2520 900	1515 900	2520 900	Processing fee under 37 CFR 1.17(q)	
1515 900	2520 900	1516 900	2520 900	Submission of Information Disclosure Stmt	
1516 900	2520 900	1517 900	2520 900	Recording each patent assignment per property (times number of properties)	
1517 900	2520 900	1518 900	2520 900	Filing a submission after final rejection (37 CFR 1.129(a))	
1518 900	2520 900	1519 900	2520 900	For each additional invention to be examined (37 CFR 1.129(b))	
1519 900	2520 900	1520 900	2520 900	Request for Continued Examination (RCE)	
1520 900	2520 900	1521 900	2520 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0**SUBMITTED BY**

Name (Print/Type)	Kasey C. Christie	Registration No. (Attorney/Agent)	40,559	Telephone	(509) 324-9256
Signature		Date	7-1-04		

(Complete if applicable)

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